

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Ted D. Ellis and Teresa Ellis,)
)
 Plaintiffs,)
)
 v.) C/A No.: 9:19-cv-02163-RMG-MGB
)
 Cody Kirkman, Individually; Amber)
 Swinehammer, Individually; Lindsey)
 Gibson, Individually; Cody C. Kirkman,)
 Amber Swinehammer, and Lindsey)
 Gibson, as agents/officers of Town of)
 Bluffton Police Department; and Town)
 Bluffton Police Department,)
)
 Defendants.)
 _____)

STATUS REPORT

On today's date, the undersigned counsel confirmed by telephonic consultations with Assistant United States Attorney Kyle Boyton of the United State Department of Justice that no prosecutorial decision has been made. AUSA Boyton advised that he and AUSA Ben Garner would be staffing the case in the next few weeks with the FBI Agent who has assumed the file and hoped to be able to provide a decision on the direction of the investigation-dismissal or moving forward-within the next three weeks. Therefore, while the reasons set forth in support of the Order to Stay remain unchanged, we are advised that the information has been largely gathered and a final decision on the direction of the investigation is expected shortly.

Respectfully submitted,

LAW OFFICE OF CHRISTY L. SCOTT, LLC

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ATTORNEY FOR DEFENDANTS

Cody C. Kirkman, Individually and as an Officer of Town of Bluffton Police Department; Amber Swinehamer, (mistakenly spelled Swinehammer), Individually and as an Officer of Town of Bluffton Police Department; former Bluffton police officer Lindsey Gibson, sued individually and as a former police officer of the Bluffton Police Department and the Town of Bluffton Police Department

October 13, 2021

Walterboro, South Carolina